

Sixth Appellate District

San Jose, California

MONDAY, JUNE 22, 1998

H017309 PEOPLE v. CORVERA

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed June 22, 1998

H016354 In re SARAH H., a Person Coming Under the Juvenile Law

The juvenile court's disposition order of October 31, 1996,
and all other orders from which the father appeals, are affirmed.
(not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed June 22, 1998

H016236 CARMEL VALLEY FIRE PROTECTION DISTRICT, et al. v.
MONTEREY COUNTY EMERGENCY MEDICAL SERVICES AGENCY, et al.;
PENINSULA PARAMEDICS SERVICES, INC.

H016821 CARMEL VALLEY FIRE PROTECTION DISTRICT, et al. v.
MONTEREY COUNTY EMERGENCY MEDICAL SERVICES AGENCY, et al.; COUNTY
OF MONTEREY; PENINSULA PARAMEDICS SERVICES, INC.

All references to Carmel Highlands Fire Protection district
in the judgment is affirmed. The order in case No. H016821 is
remanded with instructions that the trial court recompute the
award of attorney's fees without including an award to Carmel
Highlands Fire Protection District and including attorney's fees
to all respondents with the exception of Carmel Highlands for
work on appeal. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed June 22, 1998

H017682 PEOPLE v. THOMPSON

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed June 22, 1998

H015565 PEOPLE v. YATES

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed June 22, 1998

Sixth Appellate District

San Jose, California

Monday, June 22, 1998 (continued)

H017117 PEOPLE v. MANCHA

H017559 MANCHA on Habeas Corpus

The judgment is affirmed, and the petition is denied. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed June 22, 1998

H016583 PEOPLE v. MOMON

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)

Filed June 22, 1998

H017170 PEOPLE v. DIAZ

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed June 22, 1998

H017277 MONTEREY COUNTY v. GARCIA

The judgment is reversed. The matter is remanded for trial of the reimbursement issue. Plaintiff is awarded costs on appeal. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed June 22, 1998

H017386 PEOPLE v. RUIZ

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)

Filed June 22, 1998

H016725 IN RE NOE R., A MINOR

By the Court*:

Appellant's petition for rehearing is denied.

Dated June 22, 1998

Cottle, P.J.

*Before Cottle, P.J., Bamattre-Manoukian, J., and Mihara, J.

Sixth Appellate District

San Jose, California

TUESDAY, JUNE 23, 1998

H014880 BIRBROWER, MONTALBANO, CONDON & FRANK, et al. v.
SUPERIOR COURT OF SANTA CLARA COUNTY; ESQ BUSINESS SERVICES, INC.

Pursuant to directions from the Supreme Court, the matter is hereby remanded to the trial court to "resolve the dispute surrounding the parties' fee agreement and determine whether their agreement conforms to California Law. If the parties and court resolve the fee dispute and determine that one fee agreement is operable and does not violate any state drafting rules, the court may sever the illegal portion of the consideration (the value of California services) from the rest of the fee agreement. Whether the trial court finds the contingent fee agreement of the fixed fee agreement to be valid, it will determine whether some amount is due under the valid agreement. The trial court must then determine, on evidence the parties present, how much of this sum is attributable to services Birbrower rendered in New York. The parties may then pursue their remaining claims." (*Id.* at pp. 139-140.) Each side shall bear its own costs on appeal. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed June 23, 1998

H016694 USHER v. COUNTY OF MONTEREY

(Filed order modifying opinion.) Because this modification simply clarifies our disposition, without effecting a change in it, we will deny the petition for rehearing. (not published)
(Bamattre-Manoukian, J.; Cottle, P.J.; Mihara, J.)
Filed June 23, 1998

WEDNESDAY, JUNE 24, 1998

H017918 PEOPLE v. ROSANO

The judgment is affirmed. Counsel's motion to withdraw is denied. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed June 24, 1998

H017603 PEOPLE v. CHRISTIANSEN

The judgment is affirmed. Counsel's motion to withdraw is denied. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed June 24, 1998

Sixth Appellate District

San Jose, California

Wednesday, June 24, 1998 (continued)

H018338 SUSAN K. v. SUPERIOR COURT OF SANTA CRUZ & HUMAN
RESOURCES AGENCY OF SANTA CRUZ, et al.

The petition for an extraordinary writ is denied. (not
published).

(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed June 24, 1998

H015861 GUZMAN v. HOLIDAY INNS, INC.

The judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)
Filed June 24, 1998

H017352 IN RE MARY M., A MINOR

The order is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed June 24, 1998

THURSDAY, JUNE 25, 1998

H016671 IN RE ASHLEY M., A MINOR.

The juvenile court's order filed February 6, 1997, denying
the father's section 388 petition and terminating his parental
rights pursuant to section 366.26, is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed June 25, 1998

H016421 PEOPLE v. STREHLOW

Upon remittitur, the prosecutor, within thirty (30) days,
may elect to retry defendant on the charged greater offense in
count one, namely, gross vehicular manslaughter while intoxicated
(Veh. Code, § 191.5, subd. (a)). If the prosecutor does not so
elect, the trial court shall enter a conviction for the
necessarily lesser included offense of vehicular manslaughter
while intoxicated with simple negligence (Veh. Code, § 192, subd.
(c)(3)) and sentence defendant accordingly.

The matter is remanded for further proceedings consistent
with the views expressed herein. (Not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed June 25, 1998

Sixth Appellate District

San Jose, California

Thursday, June 25, 1998 (continued)

H016297 PEOPLE v. MERRITT

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed June 25, 1998

FRIDAY, JUNE 26, 1998

H017715 NATIONAL FOOTBALL LEAGUE PROPERTIES, et al. v. SANTA CLARA COUNTY SUPERIOR COURT; OAKLAND RAIDERS

Let a peremptory writ of mandate issue directing respondent court to vacate that portion of its order of November 14, 1997, which compels production of attorney-client privileged documents by petitioner National Football League Properties, Inc., and to enter a new and different order denying the Oakland Raiders' discovery motion with respect to the production of attorney-client privileged documents by petitioner. Each party to bear its own costs in this writ proceeding. (published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed June 26, 1998

H016760 PEOPLE v. BURGESS

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed June 26, 1998

H016377 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed June 26, 1998

H017135 BACHIR v. SCIBETTA

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed June 26, 1998